# UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TEXAS TYLER DIVISION

| TRITON IP, LLC,         |                   |
|-------------------------|-------------------|
| v.                      | 6:07-cv-00067-LED |
| SAGE GROUP, PLC, et al. | JURY              |

## PLAINTIFF'S REPLY TO COUNTERCLAIMS OF MADE2MANAGE

Plaintiff Triton IP, LLC ("Triton") replies to the counterclaims of Defendant Made2Manage Systems, Inc. ("Made2Manage") as follows:

- 1. Admitted
- 2. Admitted.
- 3. Admitted as to jurisdiction. Denied as to merits of counterclaims.
- 4. Admitted as to appropriateness of venue. Denied as to merits of counterclaims.
- 5. Admitted.
- 6. Admitted that a legal case or controversy exists. Admitted that Triton claims infringement and Made2Manage purports to deny it. Otherwise denied.
  - 7. Denied.
- 8. Admitted this is an exceptional case entitling Triton to recover its attorney's fees.

  Denied this is an exceptional case entitling Made2Manage to recover its attorney's fees.
- 9. Admitted that a legal case or controversy exists. Admitted that Triton claims infringement and Made2Manage purports to deny it. Otherwise denied.
  - 10. Denied.
- 11. Admitted this is an exceptional case entitling Triton to recover its attorney's fees.

  Denied this is an exceptional case entitling Made2Manage to recover its attorney's fees.

12. To the extent necessary, Triton denies that Made2Manage is entitled to the relief requested in its prayer for relief. In addition, to the extent necessary, Triton denies any allegation in the counterclaims not specifically admitted above, and Triton re-alleges infringement, validity and damages, and denies any allegations in the counterclaim adverse to same.

#### PRAYER FOR RELIEF

WHEREFORE, Plaintiff Triton IP, LLC respectfully requests that this Court enter judgment denying and dismissing Made2Manage's counterclaims, and that the Court enter judgment in favor of Triton as requested in Triton's amended complaint, as amended or supplemented.

Date: July 12, 2007 Respectfully submitted,

TRITON IP, LLC

/s/ John J. Edmonds

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**Counsel for Plaintiff TRITON IP, LLC** 

#### **CERTIFICATE OF SERVICE**

On this date a copy of the foregoing is being filed electronically and thus served upon all counsel of record pursuant to Local Rule CV-5.

Date: July 12, 2007 /s/ John J. Edmonds

John J. Edmonds